

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	Case No. CR-1-02-143
	:	
Plaintiff,	:	Judge Dlott
	:	
v.	:	
	:	
SAMUEL P. NICKOLAS,	:	<u>ORDER PERMITTING</u>
	:	<u>WITHDRAWAL OF COUNSEL</u>
Defendant.	:	

Upon the motion of Attorney W. Kelly Johnson, pursuant to Rule 83.5 of the Rules of the United States District Court for the Southern District of Ohio, and for good cause shown, Attorney Johnson is hereby withdrawn as counsel in the above matter. The court finds that based upon the October 24, 2005 hearing on the Supervised Release Violation, and based upon the Court's review of Defendant Nickolas' tax record and Financial Affidavit filed before this Court on January 27, 2005, Nickolas does not qualify for appointment of counsel. Therefore, Attorney W. Kelly Johnson is hereby withdrawn as counsel and Nickolas is hereby ordered to be responsible for obtaining his own counsel in the appeal of this matter.

Date: _____

s/Susan J. Dlott
Susan J. Dlott, Judge
United States District Court